IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 1ST AUGUST 2007 / 10TH SRAVANA 1929

Bail Appl..No. 4656 of 2007()

CRIME NO.234/07 OF TRICHUR WEST POLICE STATION

PETITIONER/ACCUSED

ARUN MAJEED, S/O P.H.ABDUL MAJEED,
34/711, VELIYANNOOR DESOM, TRISSUR VILLAGE,
THRISSUR TALUK & DISTRICT.

BY ADV. SRI.P.JACOB VARGHESE
SRI.TOM JOSE (PADINJAREKARA)
SRI.VARUGHESE M EASO
SMT.PRAISHEEL PRAKASAM
SRI.VIVEK VARGHESE P.J.
SMT.NISHA JOHN

RESPONDENTS:

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1. STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
THRISSUR WEST POLICE STATION,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 4656 of 2007

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Dated this the 1st day of August, 2007

O R D E R

Application for anticipatory bail. The petitioner is the third accused in a crime registered, inter alia, under Section 420 I.P.C. on the basis of a complaint filed by the defacto complainant before the Magistrate and referred by the Magistrate to the police under Section 156(3) Cr.P.C. The petitioner is the son of accused 1 and 2. Anticipatory bail has already been granted to accused 1 and 2 by this Court as per order dt. 6.7.07 in B.A.No.4088 of 2007. Facts have been adverted to in detail in that order. It is unnecessary to make reference to the crucial facts all over again in this order. This order must be read in continuation of the said order.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not seriously oppose the said prayer and I am satisfied that for the very reasons which have been referred to in that earlier order, the petitioner herein can also be granted anticipatory bail subject to identical conditions.

3. In the result:

(1) This application is allowed.

(2) The following directions are issued under Section 438 Cr.P.C.

(a) The petitioner shall surrender before the learned Magistrate on 8.8.2007 at 11 a.m. The learned Magistrate shall release the petitioner on regular bail on condition that he executes a bond for Rs.2,00,000/- (Rupees two lakhs only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(b) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m. and 3 p.m. on 9.8.07, 10.8.07 and 11.8.2007 and thereafter on all Mondays between 10 a.m. and 12 noon for a period of six weeks. Thereafter he shall so make himself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

(c) If the petitioner does not appear before the learned Magistrate as directed in clause (1) above, these directions shall lapse on 8.8.07 and the police shall be at liberty thereafter to arrest the petitioner and deal with him in accordance with law as if these directions were not issued at all.

(d) If the petitioner were arrested prior to his surrender on 8.8.2007 as directed in clause (1) above, he shall be released on bail on his executing a bond for Rs.25,000/- without any surety undertaking to appear before the learned Magistrate on 8.8.2007.

(R. BASANT)
Judge

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